

# **REQUEST FOR PROPOSALS**

## **On-The-Job Training Program Supportive Services Contractor**

**Prepared by  
NORTH DAKOTA DEPARTMENT OF TRANSPORTATION  
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**August 2006**



# North Dakota Department of Transportation

David A. Sprynczynatyk, P.E.  
*Director*

John Hoeven  
*Governor*

August 2, 2006

## REQUEST FOR PROPOSAL OJT SUPPORTIVE SERVICES CONTRACTOR

The North Dakota Department of Transportation (NDDOT) is seeking the services of a qualified supportive services contractor to assist the Civil Rights Office with the tracking and counseling of trainees in its On-The-Job Training (OJT) Program.

Enclosed is a Request for Proposal (RFP) for you to consider. The deadline for questions is Monday, August 21, 2006. Responses to questions will be published on the NDDOT's website (<http://www.dot.nd.gov/civilrightsoffice.html>) by Monday, August 28, 2006. The deadline for RFP submission is 10 a.m. (Central time), Tuesday, September 5, 2006.

If you are not interested in this contract, please share the RFP with any resource who may be interested in providing the technical assistance specified. Or, contact my office and we will send the individual an RFP directly.

Thank you for your consideration.

A handwritten signature in cursive script, reading "Deborah J. Igoe".

DEBORAH J. IGOE, DIRECTOR, CIVIL RIGHTS DIVISION

bh  
Enclosure

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**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION  
REQUEST FOR PROPOSAL  
OJT SUPPORTIVE SERVICES CONTRACTOR  
AUGUST 2006  
RFP NO: 918-35/97-06-052**

**INTRODUCTION**

The North Dakota Department of Transportation (NDDOT) seeks the services of a qualified supportive services contractor to provide technical assistance to assist the Civil Rights Division with tracking trainees, counseling trainees, and compiling statistical data for the On-The-Job Training (OJT) Program.

**BACKGROUND**

The Civil Rights Division is a unit of the Office of Operations. This office consists of a staff of four (4). It is located on the fourth floor of the Transportation Building, Room 413, 608 East Boulevard Avenue, Bismarck, North Dakota.

The Civil Rights Division is responsible for developing, implementing, and monitoring the OJT program, which is based on federal legislation, 23 CFR Part 230. The OJT program is intended to provide training and skill improvement opportunities to assure the increased participation of minorities, women, and economically-disadvantaged persons in all phases of the highway construction industry.

The Civil Rights Division intends to enter into a contract with an effective date beginning January 1, 2007 and ending December 31, 2007. The performance period for this OJT Supportive Services contract is for one (1) year with the option to extend for one-year periods after the first year, not to exceed four (4) one-year extensions. Options to extend the performance period for each additional year will be on the basis of satisfactory performance and availability of funding for each year. Under no circumstances will the performance period extend beyond a total of five (5) years for the initial date of a contract. This contract may be renewed upon satisfactory completion of the initial contract term. This contract will not automatically renew. The Civil Rights Division will provide written notice to the contractor of its intent to renew this contract at least thirty (30) days before the scheduled contract expiration date.

**SCOPE OF WORK**

We are requesting a written proposal from qualified supportive services contractors outlining their detailed operating plan to provide the following services:

- A. **Tracking and Counseling.** By early April, the NDDOT will inform the supportive services contractor of the number of OJT positions assigned to prime contractors, by providing copies of letters to prime contractors, approved training programs, trainee employment applications, and economically-disadvantaged

confirmations from Job Service.

The supportive services contractor must call each prime contractor assigned a training position every Monday morning to ask when and where the trainee will be starting. If the prime contractor indicates they have a trainee who has started work, and the supportive services contractor does not have an approved training program, they will inform them of this required paperwork. The supportive services contractor will immediately notify the appropriate Civil Rights Officer in the Civil Rights Division of this situation. If the prime contractor indicates the trainee has been assigned to a subcontractor, the supportive services contractor will then contact the subcontractor instead of the prime contractor.

The supportive services contractor must provide two (2) counseling sessions per trainee at the trainee's job site.

To arrange counseling sessions, the supportive services contractor must contact prime contractors or subcontractors weekly to determine the location of trainees. This tracking is necessary as trainees are assigned to different projects around the state of North Dakota throughout the construction season. Each trainee must be counseled within one (1) to two (2) weeks after the supportive services contractor is informed of the trainee's start date. Each trainee must then be counseled once more within two (2) to four (4) weeks of the initial visit, unless there are problems that warrant another visit. The necessary documentation on the counseling sessions must be completed and maintained in the trainee's file (Attachment A.)

All counseling visits must be documented on the OJT Counseling Report. The NDDOT will provide the supportive services contractor with copies of this form (Attachment B).

Each trainee must be provided a copy of the applicable Minimum Wage Scale and a copy of the actual training curriculum being used. The NDDOT will provide the supportive services contractor with copies of the wage scale and training curricula.

Because wage scales can change for bid openings, the supportive services contractor must research the bid opening date for the project on which the trainee is working so that the correct information is given to the trainee.

The supportive services contractor is responsible for providing their staff with hard hats, safety glasses and safety vests for project visits.

The NDDOT will inform the supportive services contractor of any trainee completions, by providing copies of the vouchers and completion certificates. If

the supportive services contractor becomes aware of any trainee completions, they will inform the appropriate Civil Rights Officer in the Civil Rights Division immediately.

The supportive services contractor must implement the completion of three trainee questionnaires (one during the second trainee visit, one after the trainee's program completion, one for trainees who resign from or terminate the program) and one prime contractor questionnaire after the trainee's program completion. The NDDOT will provide the supportive services contractor with copies of these forms (Appendices C–F).

At the end of the construction season, or approximately October 1, 2007, the supportive services contractor must send the appropriate questionnaire to those prime contractors and trainees who were not previously provided a questionnaire, or did not return the questionnaire they were previously provided. By November 10, 2007, the supportive services contractor must prepare a written summary of the results of the questionnaires and a copy provided to the Civil Rights Officer with OJT program oversight.

By December 1, 2007, the supportive services contractor must submit a trainee status report, summary of the results of the questionnaires, the individual trainee files to the NDDOT, and recommendations for program changes.

- B. **General.** The philosophy of this contract is to provide counseling for minority, female, and economically disadvantaged individuals, hereafter known as the targeted group, while they are in the OJT Program, where they are given the opportunity to develop marketable skills and gain journeyworker status in the skilled craft classifications in which they are being trained.

1. **Statewide Service Area and Fees.** The program will serve all NDDOT-approved OJT trainees assigned to highway projects in North Dakota. Services will be provided free of charge.

The supportive services contractor's office must be located full-time within the city of either Bismarck or Mandan. The office must be staffed from 8:00 a.m. to 5:00 p.m., Monday – Friday, excluding all state holidays, unless other arrangements are made with the contracting officer. The location must be accessible to people with disabilities.

2. **Documentation.** Written documentation (contact sheets) on the tracking and counseling of OJT trainees by the supportive services contractor must be maintained. This information is to be provided to the NDDOT upon completion of the contract, or at the request of the contracting officer.

The supportive services contractor must maintain individual file folders for each trainee, with each folder label including the trainee name, job classification, and prime contractor name. If a subcontractor is providing the training, the prime contractor name should be used with a forward slash "/" and the name of the subcontractor. Each folder must include: the approved training program, trainee employment application form, written confirmation by Job Service of an individual's status as economically disadvantaged, vouchers for reimbursement, counseling reports, certificate of completion, and other relevant documentation.

Copies of any information provided to the supportive services contractor, or developed from the counseling assistance provided by the supportive services contractor, will be delivered to the NDDOT upon completion of the contract for inclusion in the OJT trainee's file. No copies will be maintained in the supportive services contractor's office. All OJT Program files are considered property of the NDDOT.

No information in an OJT trainee's confidential file may be released by the supportive services contractor. Any firm or individual making such a request should be referred to the contracting officer, Deborah Igoe, Director, Civil Rights Division, North Dakota Department of Transportation. Upon receipt of the written request, NDDOT will handle the matter.

Each supportive services contractor staff member will be required to maintain strict confidentiality regarding the contents of OJT Program files.

Documentation must be kept indicating the amount of time spent in the delivery of services to OJT trainees and the results.

3. **Budget.** Federal and state monies will fund this project, which is not to exceed \$35,000, for the time period January 1, 2007, through December 31, 2007, depending on availability of funding.

All direct and indirect costs applicable to the contract performance must be identified in the budget. Cost principles and allowable costs are covered under Title 48 CFR Part 31. Procurement procedures are covered under Title 49 CFR Part 18 (Common Rule).

The budget will include costs for travel expenses that are required as part of this contract. The NDDOT will not be responsible for any travel expenses, such as providing a vehicle, fuel, per diem, etc.

If the supportive services contractor proposes items not included in the Request for Proposal (RFP), those costs must be itemized and listed separately.

The NDDOT does not reimburse bidders for costs incurred in preparing their proposals.

4. **Program Accountability.** Written reports must be provided for the first, second, and third quarters of the contract period. The reports will be due within ten (10) calendar days following the end of each reporting period. The annual report (summation of all quarterly activities, including the fourth quarter) must be provided within fifteen (15) calendar days following the end of the contract period. Each report must be narrative in nature, addressing each task listed in the proposal, the progress made, and state any problems that were encountered. The reports must also contain a detailed budget stating how much of the budget was expended during the quarter on each specific task. The NDDOT will be provided one (1) original and one (1) copy of each report. The supportive services contractor may be requested to provide other reports upon written request by the NDDOT.

All records are subject to audit by the NDDOT as covered by Office of Management and Budget (OMB) Circular Reference A133.

All records are subject to random review at any time by the NDDOT.

Quarterly review meetings will be scheduled by the NDDOT with the supportive services contractor.

The NDDOT will annually survey the contractors', who have trainees during the current construction season, to rate their satisfaction with the supportive services contractor. The survey will help the NDDOT measure the effectiveness of the supportive services program and identify areas for improvement.

At the end of the contract period, the contracting officer will conduct a performance audit at the supportive services contractor's office.

## **PROPOSAL SUBMISSION**

Formulate your proposals as briefly and concisely as possible, and provide additional notes where further explanation or clarification is necessary. Submitted proposals must follow the format listed below.



## **Proposal Requirements**

- A. Submit four copies of the proposal to the NDDOT.
- B. Proposals should be arranged, numbered, and responded to in the order of the requirements as listed in the RFP, beginning with "A. Tracking and Counseling" and ending with "B. General." The format of the submitted proposals should restate the proposal requirements verbatim and then respond to the requirement, stating how each task will be accomplished.
- C. Provide a contact person, their address, telephone number, fax number, and e-mail address.
- D. Proposal Requirements:
  - 1. State in your own words your understanding of the scope of the project and all deliverables of the project.
  - 2. Provide an approach and plan to the project should your company receive the award. Also, state how the company would communicate information to the NDDOT.
  - 3. Provide a description of the methodology to be used by the supportive services contractor for completing this project.
  - 4. Provide detailed resumes of current staff members who will be working on the NDDOT project and describe their ability to successfully deliver the proposed program services.
  - 5. Provide a chronological resume of experience the business has in the area of program delivery to minorities, females, and economically disadvantaged individuals. Submit business references (three or four), including the name, address, and phone number of a contact person so that the NDDOT can verify your participation in that project. The individuals listed must be able to verify the business's experience in the OJT program delivery area. List references only with their permission.
  - 6. Attach a sample status report that shows the report layout the supportive services contractor has used to track project progress in similar projects. For confidentiality reasons, the supportive services contractor is not expected to submit an actual status report used on another project. A sample status report is acceptable.
  - 7. Detail your plans for billing. Note that this section should not in any way indicate the rates charged by your company.

8. Give the NDDOT your organizational and financial information, including (but not limited to) company size, organization, date of incorporation, ownership, number of employees, revenues for the last fiscal year, financial statement, commitment to services to government clients, and other appropriate information which is relevant to this project. Supportive services contractors should consider the implications of North Dakota's broad open records law, North Dakota Century Code (NDCC) Section 44-04-18, and the scope of the most likely exception to the open records law, NDCC Section 44-04-18.4, attached as Attachment G.
9. Provide a table showing the number of person hours (not percentages) that will be devoted to each task by staff for a twelve (12)-month period. List the names of principal individuals who will be involved. Support staff may be identified by classification.
10. Provide a sample counseling checklist.
11. Include a detailed cost proposal by task and then broken down by each activity. Submit in a separate sealed envelope as outlined in the "Proposal Deadline" section.
12. Briefly describe why you believe you are the best supportive services contractor for this project.

#### **SELECTION CRITERIA**

- A. The quality of the proposal and understanding the project scope and specific requirements of the NDDOT.
- B. Demonstrated ability to perform services. Bidders must show specific experiences with program delivery to "applicable clients" or recipients to whom program is targeted as described in the RFP.
- C. Quality of staff. Bidders will provide resumes which include management and technical qualifications and experience with similar projects for all staff that will be involved with the project.
- D. Objectivity. The bidder must show any past or present business relationships and familiarity with business-related difficulties with applicable clients or recipients to whom program is targeted as described in the RFP.
- E. Price proposal submitted in a separate sealed envelope as outlined under "Proposal Submission."

### **SPECIAL PROPOSAL CONSIDERATION**

In accordance with 23 CFR, Part 230.2113(e), the NDDOT will make an effort to search out and utilize the services of minority- or women-owned companies. Therefore, proposals submitted by minority and women enterprises will receive special consideration.

### **SEQUENCE OF EVENTS**

The following will be the sequence of events in the qualification and selection process:

Advertise for proposals the week of:	August 7, and August 14, 2006
Question deadline:	August 21, 2006
Publication of response to questions:	August 28, 2006
Proposals due:	September 5, 2006
Review of proposals and Interviews:	September 5 - 12, 2006
Notice of Intent to Award:	September 12, 2006
Contract Award Date	September 12, - December 31, 2006
Contract Start date:	January 1, 2007

### **PROPOSAL DEADLINE**

Four (4) copies of response to this RFP must be received no later than 10 a.m. Central time on Tuesday, September 5, 2006, to the attention of:

Ms. Deb Igoe, Director  
Civil Rights Division, Room 413  
NDDOT  
608 East Boulevard Avenue  
Bismarck, ND 58505-0700  
Telephone: 701-328-2576  
Fax: 701-328-1965

Proposals must be submitted in sealed envelopes or boxes clearly marked "OJT Supportive Services Proposal" on the outside of the envelope. The envelope must contain a technical proposal and a separate sealed envelope containing a detailed price proposal. Proposals will not be opened until after the submittal deadline. Proposals received after the deadline will be disqualified and returned unopened.

Proposals will be opened on Tuesday, September 5, 2006, at 10 a.m. Central time in Room 413 of the Transportation Building, 608 East Boulevard Avenue, Bismarck, North Dakota.

### **PERSONAL INTERVIEW**

Prior to final award of contract, the bidder must make a final presentation of their proposal to the Selection Committee in Bismarck, North Dakota. Presentations will be scheduled between Tuesday, September 5, and Friday, September 12, 2006.

## **BIDDER QUESTIONS**

All questions from supportive services contractors regarding the RFP or relating to this project must be submitted to the NDDOT for clarification by Monday, August 21, 2006. Questions will be answered by Monday, August 28, 2006, and will be published on the NDDOT's website ([www.dot.nd.gov/civilrightsoffice.html](http://www.dot.nd.gov/civilrightsoffice.html)) at the same time. Questions must be in writing and mailed, faxed, or e-mailed to:

Ms. Becky Hanson, Procurement Officer  
Civil Rights Division, Room 413  
NDDOT  
608 East Boulevard Avenue  
Bismarck, ND 58505-0700  
Telephone: 701-328-3116  
Fax: 701-328-1965  
E-mail: [bhanson@nd.gov](mailto:bhanson@nd.gov)

## **SUBMIT PROPOSALS ON MOST FAVORABLE TERMS**

Bidders should submit their proposals on the most favorable basis, price, and terms included. The award may be made without negotiation based on the price and terms of the proposals as initially submitted, although the NDDOT specifically reserves the right to negotiate with any contractor and reject any or all proposals. Price may not be the determining factor for selection. NDDOT reserves the right to waive or renegotiate errors, technicalities, formalities, and irregularities in any proposal.

## **AWARD PROTESTS**

The contact person from each bidder will be notified by fax once the intent to award is made. Bidders wishing to protest must have their formal protest letter to NDDOT no later than seven (7) working days from the date appearing on the letter announcing the intent to award. No protest letter will be accepted after this time. Protests should be sent to the attention of:

Ms. Becky Hanson, Procurement Officer  
Civil Rights Division  
NDDOT  
608 East Boulevard Avenue  
Bismarck, ND 58505-0700  
Telephone: 701-328-3116  
Fax: 701-328-1965  
E-mail: [bhanson@nd.gov](mailto:bhanson@nd.gov)

## **NO DISCLOSURE**

No use or disclosure of price, terms, or techniques contained in the proposals will be made to any individual or entity outside the NDDOT unless required by North Dakota's open records law, NDCC 44-04-18. In the event of an award, the report submitted

pursuant to the requirements of such contract by the bidder receiving the award may be disclosed, reproduced, etc., at the NDDOT's option. NDDOT is a public agency and is subject to North Dakota's open records laws. At the conclusion of the selection process, the contents of all proposals will be placed in the public domain and will be open to inspection by interested parties. Trade secrets or proprietary information, if they are recognized as such and protected by law, may be withheld if clearly identified in the proposal by the supportive services contractor; however, ***the NDDOT reserves the right to make the final determination as to trade secrets or proprietary information.***

### **OWNERSHIP OF PROPOSALS**

All proposals submitted regarding this RFP become the property of the NDDOT. NDDOT will not be responsible for any costs incurred by proposer, including proposal preparation or presentation prior to execution of a contract. Proposals will not be returned to the bidders.

### **COMPLETENESS OF INFORMATION, FUTURE NEGOTIATIONS, AND RIGHT TO REJECT**

NDDOT reserves the right to seek or require verification, validation, or clarification of data and information presented in the proposals.

NDDOT reserves the right to further negotiate with any potential consultant after proposals are opened; to conduct interviews with any firms submitting proposals; and to reject any or all proposals.

NDDOT reserves the right to prioritize the project functionality for successful project completion. This right includes the ability to remove or postpone certain functionality due to cost or other factors.

NDDOT reserves the right to reject or accept any tasks in this proposal. The proposal award is subject to availability of federal and state funding.

### **REGISTRATION WITH THE STATE**

The selected supportive services contractor must obtain a Certificate of Authority to conduct business in the state. Certificates are available from the Secretary of State's Office, 600 East Boulevard Avenue, First Floor, Bismarck, North Dakota.

While it is not necessary to be registered with the state to submit a bid, the successful supportive services contractor will be expected to be registered with the Secretary of State before execution of the contract. It is strongly recommended that all bidders have a current (within the last 90 calendar days) Certificate of Good Standing from their state of origin. This is often the primary delay in getting registered with the state.

## **RISK MANAGEMENT**

A risk management attachment, substantially similar to that attached, will be incorporated into the contract with the supportive services contractor chosen (Attachment H).

## **ISSUING DIVISION**

The RFP is issued by the NDDOT, Civil Rights Division. The selection of the supportive services contractor will be made by a three-five person team.

## **ATTACHMENTS**

Attachment A: 2006 On-The-Job Training Program

Attachment B: OJT Counseling Report

Attachment C: OJT Trainee Questionnaire - A

Attachment D: OJT Trainee Questionnaire - B

Attachment E: OJT Trainee Questionnaire - C

Attachment F: OJT Prime Contractor Questionnaire

Attachment G: North Dakota Open Records Law

Attachment H: Risk Management

Attachment I: North Dakota State Travel Policy

**ATTACHMENT A:**

**2006 ON-THE-JOB TRAINING PROGRAM**

<http://www.dot.nd.gov/docs/civilrights/ojtprogram.pdf>

**ATTACHMENT B:**

**OJT COUNSELING REPORT**



# OJT COUNSELING REPORT

North Dakota Department of Transportation, Civil Rights Office  
SFN 19271 (Rev. 07-2002)

Name of Trainee		Social Security Number*	
Contractor		Project Number	
Bid Opening	District	Location	
Position		Starting Wage	
Trainer's Name		Date	Time

\*In compliance with the Federal Privacy Act of 1974, the disclosure of the individual's social security number on this form is mandatory pursuant to Federal Regulation 23 CFR 230A. The individual's social security number is used as an identification number by the NDDOT for file control purposes and record keeping.

**Counseling Session Number** \_\_\_\_\_

Comments	
<hr/> <hr/>	
<hr/>	
<hr/>	
_____ Trainee's Signature	_____ Counselor's Signature
Trainer's Comments	
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_____ Trainer's Signature	
Project Engineer's Comments	
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_____ Project Engineer's Signature	
Job Superintendent's Comments	
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<hr/>	
_____ Job Superintendent's Signature	

**ATTACHMENT C:**

**OJT TRAINEE QUESTIONNAIRE - A**

**TRAINEE QUESTIONNAIRE - A (OJT PROGRAM)**

North Dakota Department of Transportation, Civil Rights Division

SFN 17716 (Rev. 07-2006)

1. Under which job classification were you receiving training? _____
2. Did you receive the training outlined in the program? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, what were you doing? _____
3. Do you think the training program was beneficial? <input type="checkbox"/> Yes <input type="checkbox"/> No Why? _____
4. Do you think the training hours were adequate for the training you received? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, should there be <input type="checkbox"/> more or <input type="checkbox"/> less hours? Why? _____
5. On what part of the program would you have liked to have spent more time? _____
6. What did you like most about the program? _____
7. What did you like least about the program? _____
8. Your comments or suggestions for improving the program: _____
9. How did you hear about the training program? _____
10. Would you recommend the program to another person? <input type="checkbox"/> Yes <input type="checkbox"/> No Why? _____
11. Do you feel you were treated fairly? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, why? _____
12. Was your counseling adequate? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, why? _____
13. Name of the company you worked for: _____
14. Do you plan to continue working for this company? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, why? _____
15. What are your future goals? _____

Name (Please Print)

Date

Signature

**ATTACHMENT D:**

**OJT TRAINEE QUESTIONNAIRE - B**

**TRAINEE QUESTIONNAIRE - B (OJT PROGRAM)**

North Dakota Department of Transportation, Civil Rights Division

SFN 17717 (Rev. 07-2006)

1. Under which job classification were you receiving training? _____ _____
2. Did you receive the training outlined in the program? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, what were you doing? _____
3. Do you think the training program was beneficial? <input type="checkbox"/> Yes <input type="checkbox"/> No Why? _____ _____
4. Do you think the training hours were adequate for the training you received? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, should there be <input type="checkbox"/> more or <input type="checkbox"/> less hours? Why? _____ _____
5. On what part of the program would you have liked to have spent more time? _____ _____
6. What did you like most about the program? _____ _____
7. What did you like least about the program? _____ _____
8. Your comments or suggestions for improving the program: _____ _____
9. How did you hear about the training program? _____ _____
10. Would you recommend the program to another person? <input type="checkbox"/> Yes <input type="checkbox"/> No Why? _____ _____
11. Do you feel you were treated fairly? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, why? _____ _____
12. Was your counseling adequate? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, why? _____ _____
13. Name of the company you worked for: _____ _____
14. Why did you terminate your employment with this company? _____ _____
15. What are your future goals? _____ _____

Name (Please Print)	Date
Signature	

**ATTACHMENT E:**

**OJT TRAINEE QUESTIONNAIRE - C**

**TRAINEE QUESTIONNAIRE - C (OJT PROGRAM)**  
North Dakota Department of Transportation, Civil Rights Division  
SFN 19293 (07-2006)

1. Under which job classification are you receiving training? _____
2. Are you receiving the training outlined in the program? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, what are you doing? _____
3. Do you think the training program is beneficial? <input type="checkbox"/> Yes <input type="checkbox"/> No Why? _____
4. Do you think the training hours are adequate for the training you are receiving? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, should there be <input type="checkbox"/> more or <input type="checkbox"/> less hours? Why? _____
5. On what part of the program would you like to spend more time? _____
6. What do you like most about the program? _____
7. What do you like least about the program? _____
8. Your comments or suggestions for improving the program: _____
9. How did you hear about the training program? _____
10. Would you recommend the program to another person? <input type="checkbox"/> Yes <input type="checkbox"/> No Why? _____
11. Do you feel you are being treated fairly? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, why? _____
12. Is your counseling adequate? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, why? _____
13. Name of the company you are working for: _____
14. Do you plan to continue working for this company? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, why? _____
15. What are your future goals? _____

Name (Please Print)	Date
Signature	

**ATTACHMENT F:**

**OJT PRIME CONTRACTOR QUESTIONNAIRE**



# PRIME CONTRACTOR QUESTIONNAIRE (OJT PROGRAM)

North Dakota Department of Transportation, Civil Rights Division

SFN 17715 (Rev. 07-2006)

1. What training program(s) did you use?	_____
2. Do you think the program(s) was beneficial? <input type="checkbox"/> Yes <input type="checkbox"/> No Why?	_____
3. Should the training hours be <input type="checkbox"/> lower or <input type="checkbox"/> higher? Why?	_____
4. What did you like most about the program?	_____
5. What did you like least about the program?	_____
6. Do you think there should be <input type="checkbox"/> more or <input type="checkbox"/> less job classifications? Why?	_____
7. Do you feel the trainee(s) received adequate training? <input type="checkbox"/> Yes <input type="checkbox"/> No Why?	_____
8. How often do you think a trainee should be counseled?	_____
9. Do you feel the training package provided by the North Dakota Department of Transportation adequately explains the program? <input type="checkbox"/> Yes <input type="checkbox"/> No Comments:	_____
10. Did you retain the trainee(s) after he or she completed the program? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, why?	_____
11. Your comments or suggestions for improving the program:	_____

Signature	Title
Company	Date

## **ATTACHMENT G:**

### **NORTH DAKOTA OPEN RECORDS LAW**

**NORTH DAKOTA'S OPEN RECORDS LAW**

**44-04-18. Access to public records - Electronically stored information.**

1. Except as otherwise specifically provided by law, all records of a public entity are public records, open and accessible for inspection during reasonable office hours. As used in this subsection, "reasonable office hours" includes all regular office hours of a public entity. If a public entity does not have regular office hours, the name and telephone number of a contact person authorized to provide access to the public entity's records must be posted on the door of the office of the public entity, if any. Otherwise, the information regarding the contact person must be filed with the secretary of state for state-level entities, for public entities defined in subdivision c of subsection 12 of section 44-04-17.1, the city auditor or designee of the city for city-level entities, or the county auditor or designee of the county for other entities.
2. Upon request for a copy of specific public records, any entity subject to subsection 1 shall furnish the requester one copy of the public records requested. A request need not be made in person or in writing, and the copy must be mailed upon request. A public entity may charge up to twenty-five cents per impression of a paper copy. As used in this section, "paper copy" means a one-sided or two-sided duplicated copy of a size not more than eight and one-half by fourteen inches [19.05 to 35.56 centimeters]. For any copy of a record that is not a paper copy as defined in this section, the public entity may charge a reasonable fee for making the copy. As used in this section, "reasonable fee" means the actual cost to the public entity of making the copy, including labor, materials, and equipment. The entity may charge for the actual cost of postage to mail a copy of a record. An entity may require payment before making or mailing the copy, or both. An entity may impose a fee not exceeding twenty-five dollars per hour per request, excluding the initial hour, for locating records if locating the records requires more than one hour. An entity may impose a fee not exceeding twenty-five dollars per hour per request, excluding the initial hour, for excising confidential or closed material under section 44-04-18.10. If the entity is not authorized to use the fees to cover the cost of providing or mailing the copy, or both, or if a copy machine is not readily available, the entity may make arrangements for the copy to be provided or mailed, or both, by another entity, public or private, and the requester shall pay the fee to that other entity. This subsection does not apply to copies of public records for which a different fee is specifically provided by law.
3. Access to electronically stored records is free if the records are recoverable without the use of a computer backup. If a request is made for access to a record on a backup, or for a copy of an electronically stored record, in addition to the charge in this section, the public entity may charge a reasonable fee for providing the copies, including costs attributable to the use of information technology resources.
4. Except as provided in this subsection, nothing in this section requires a public entity to create or compile a record that does not exist. Access to an electronically stored record under this section, or a copy thereof, must be provided at the requester's option in either a printed document or through any other available medium. A computer file is not an available medium if no means exist to separate or prevent the disclosure of any closed or confidential information contained in that file. Except as reasonably necessary to reveal the organization of data contained in an electronically stored record, a public entity is not required to provide an electronically stored record in a different structure, format, or organization. This section does not require a public entity to provide a requester with access to a computer terminal.
5. A state-level public entity as defined in subdivision a of subsection 12 of section 44-04-17.1 may establish procedures for providing access from an outside location to any computer data base or electronically filed or stored information maintained by that entity. The procedures must address the measures that are necessary to maintain the confidentiality of information protected by federal

or state law. Except for access provided to another state-level public entity, the entity may charge a reasonable fee for providing that outside access. If the original information is keyed, entered, provided, compiled, or submitted by any political subdivision, the fees must be shared by the state and the political subdivision based on their proportional costs to make the data available.

6. Any request under this section for records in the possession of a public entity by a party to a criminal or civil action or adversarial administrative proceeding in which the public entity is a party, or by an agent of the party, must comply with applicable discovery rules and be made to the attorney representing that entity in the criminal or civil action or adversarial administrative proceeding. The public entity may deny a request from a party or an agent of a party under this subsection if the request seeks records that are privileged under applicable discovery rules.
7. A denial of a request for records made under this section must describe the legal authority for the denial and must be in writing if requested.
8. This section is violated when a person's right to review or receive a copy of a record that is not exempt or confidential is denied or unreasonably delayed or when a fee is charged in excess of the amount authorized in subsection 2.
9. It is not an unreasonable delay or a denial of access under this section to withhold from the public a record that is prepared at the express direction of, and for presentation to, a governing body until the record is mailed or otherwise provided to a member of the body or until the next meeting of the body, whichever occurs first. It also is not an unreasonable delay or a denial of access to withhold from the public a working paper or preliminary draft until a final draft is completed, the record is distributed to a member of a governing body or discussed by the body at an open meeting, or work is discontinued on the draft but no final version has been prepared, whichever occurs first.
10. For public entities headed by a single individual, it is not an unreasonable delay or a denial of access to withhold from the public a working paper or preliminary draft until a final draft is completed, or work is discontinued on the draft but no final version has been prepared, whichever occurs first. A working paper or preliminary draft shall be deemed completed if it can reasonably be concluded, upon a good-faith review, that all substantive work on it has been completed.
11. A disclosure of a requested record under this section is not a waiver of any copyright held by the public entity in the requested record or of any applicable evidentiary privilege.

**ATTACHMENT H:**

**RISK MANAGEMENT**

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## Risk Management Appendix

### Service Contracts with Private Individuals, Companies, Corporations, Etc.:

Contractor agrees to indemnify, save and hold harmless the state of North Dakota, its agencies, officers and employees (State), from claims resulting from the performance of the Contractor or its agent, including all costs, expenses, and attorney's fees, which may in any manner result from or arise out of this agreement. Contractor also agrees to indemnify, save and hold the State harmless for all costs, expenses and attorney's fees incurred in establishing and litigating the indemnification coverage provided herein.

Contractor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota, the following insurance coverages covering the Contractor for any and all claims of any nature which may in any manner arise out of or result from this agreement:

- 1) **Commercial general liability and automobile liability** insurance – minimum limits of liability required are **\$250,000 per person** and **\$1,000,000 per occurrence**.
- 2) **Workers compensation** insurance meeting all statutory limits.
- 3) The State of North Dakota, its agencies, officers, and employees (State) shall be endorsed as an **additional insured** on the commercial general liability and automobile liability policies.
- 4) Said endorsements shall contain a **"Waiver of Subrogation"** in favor of the state of North Dakota.
- 5) The policies and endorsements may not be canceled or modified without **thirty (30) days prior written notice** to the undersigned State representative.

**Contractor shall furnish a certificate of insurance evidencing the requirements in 1, 3, and 4, above to the undersigned State representative prior to commencement of this agreement.**

The State reserves the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time. Any attorney who represents the State under this contract must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08.

When a portion of a Contract is sublet, the Contractor shall obtain insurance protection (as outlined above) to provide liability coverage to protect the Contractor and the State as a result of work undertaken by the Subcontractor. In addition, the Contractor shall ensure that any and all parties performing work under the Contract are covered by public liability insurance as outlined above. All Subcontractors performing work under the Contract are required to maintain the same scope of insurance required of the Contractor. The Contractor shall be held responsible for ensuring compliance with those requirements by all Subcontractors.

Contractor's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the State. Any insurance, self-insurance or self-retention maintained by the State shall be excess of the Contractor's insurance and shall not contribute with it. Any deductible amount or other obligations under the policy(ies) shall be the sole responsibility of the Contractor. This insurance may be in a policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. The State will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Contractor in excess of the minimum requirements set forth above.

**ATTACHMENT I:**

**NORTH DAKOTA STATE TRAVEL POLICY**

Office of Management and Budget  
Travel

August 1, 2005

**Policy 505 - Reimbursement for Meals and Lodging**

NDCC Chapter 44-08-04 provides for reimbursement of employee expenses for meals and lodging while an employee is away from their normal working and living residence.

If meals are included as part of a registration fee for a conference, seminar, or other meeting, the employee should be reimbursed for the entire registration fee, if paid by the employee. However, the employee cannot claim reimbursement for the applicable meal allowance for that quarter. An employee should be reimbursed for meals paid by the employee while attending a meeting at the request of, or on behalf of, the state or any of its subdivisions, agencies, bureaus, boards, or commissions, up to the allowable rates established below.

Chapter 44-08-04 provides that reimbursement is allowed only for overnight travel and other travel while away from the normal place of employment for four hours or more. Employees will not be reimbursed for the first quarter if travel began after 7:00 a.m. In order to claim expenses for the second and third quarters, the employee must have been in travel status one hour before the start of the quarter being claimed, and travel status must extend at least one hour into the quarter being claimed. The expense allowance for each quarter of any 24-hour period effective **August 1, 2005**, is as follows:

<u>Meal Allowance</u>	<u>In-State</u>	<u>Out-of-State</u>
1. First quarter, 6 a.m. to 12 noon	\$5.00	20% at GSA daily rate
2. Second quarter, 12 noon to 6 p.m.	\$7.50	30% of GSA daily rate
3. Third quarter, 6 p.m. to 12 midnight	\$12.50	50% of GSA daily rate
4. Fourth quarter, 12 midnight to 6 a.m.		

In-State Lodging:

Maximum of \$50 plus any additional applicable state and local taxes on lodging. If the room is more than \$50, the individual may only be reimbursed for the additional taxes based on \$50, and the additional taxes must be pro-rated. For example; if the room is \$60 and taxes are \$6, the individual will be reimbursed \$50 plus  $(50 / 60 \times 6) = \$5$  for taxes.

Out-of-State Lodging:

Actual lodging expense.

Those persons engaged in travel outside of the continental United States shall be reimbursed for meals as follows:

- The allowance for meals in noncontinental United States and overseas nonforeign areas, including Alaska, Hawaii, and Guam, is equal to the per diem meals rate in the city of which a
- (continued)



# Office of Management and Budget

## Travel

Policy 505 (continued)

August 1, 2005

- claim is made on that day as established by rule for federal employees established by the United States per diem committee.
- The allowance for meals outside the United States is equal to the per diem meals rate in the city for which a claim is made on that day as established by rule for federal employees established by the United States department of state.
  - To find the applicable meal rates outside the contiguous 48 states, use the following website <https://secureapp2.hqda.pentagon.mil/perdiem/perdiemrates.html> and use the column titled "Local Meals Rate."
  - The standard rate for the continental United States is \$39 effective October 1, 2005. To find domestic per diem rates that are above this rate, use the following website: [http://www.gsa.gov/Portal/gsa/ep/contentView.do?programId=9704&channelId=-15943&oid=16365&contentId=17943&pageTypeId=8203&contentType=GSA\\_BASIC&programPage=%2Fep%2Fprogram%2FgsaBasic.jsp&P=MTT](http://www.gsa.gov/Portal/gsa/ep/contentView.do?programId=9704&channelId=-15943&oid=16365&contentId=17943&pageTypeId=8203&contentType=GSA_BASIC&programPage=%2Fep%2Fprogram%2FgsaBasic.jsp&P=MTT).

Verification of claims via receipt is not required for the first three quarters but is required for lodging (see Policy 513 also). Receipts are also required for each taxi fare in excess of \$10 and for other miscellaneous expenses in excess of \$10. Parking fees may be claimed only with a receipt from a hotel/motel or airport.

**The head of any department, institution, or agency may set a rate for out-of-state travel, which is less than that set forth by statute.**

**NOTE:** Before any allowance for such mileage or travel expenses will be made, the official, deputy, assistant, clerk, or other employee will file with the agency, an itemized statement showing mileage traveled, the purpose thereof, and such other information and documentation as may be prescribed by the IRS, or an agency. Statements such as "to attend a meeting" etc., should not be accepted as sufficient documentation for purpose of travel.

If an employee is not claiming reimbursement for lodging, please indicate such on the Travel Expense Voucher. A fillable and printable Adobe (.pdf) Travel Expense Voucher can be found at: <http://www.nd.gov/eforms/Doc/sfn52785.pdf>

**If an employee is claiming reimbursement for meals for travel when no overnight stay is involved, the meal reimbursement is taxable.** When completing the Travel Expense Voucher, taxable meals must be noted accordingly. The employee will receive the full meal reimbursement and the taxes will be withheld through the payroll system during the next payroll cycle.

See Out-of-State Meal Allowance Rates at <http://www.nd.gov/fiscal>.